

104
87-202-A
PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1B02.3C.1 to permit a rear yard setback of 20 feet in lieu of the required 40 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. Add Family Room - House has no basement or recreation room.
2. Enhance children's study habits by creating library corner and isolate study area.
3. Encourage group (friends) visits by providing area conducive to gathering.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s):

Jack Carvel Henry, Sr.

(Type or Print Name)

Signature

Sera Pickett Henry

(Type or Print Name)

Signature

Phones: Office (Mr) 677-3601

Office (Mrs) 435-2800

Home 296-0773

Address 8110 Bellona Ave

City and State Towson, Md. 21204

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

City and State Name

Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 1st day

of October, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 20th day of November, 1986, at 9:45 o'clock

A.M.

(over)

87-202-A
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 8th
Posted for: Variance
Petitioner: Jack Carvel Henry, Sr., et ux
Location of property: NW/4 of Bellona Ave., 530' W of Ridervale Rd.
(8110 Bellona Ave.)
Location of Sign: In front of 8110 Bellona Ave.

Remarks: S. J. Pickett
Posted by: S. J. Pickett
Number of Signs: 1
Date of return: November 14, 1986
11-14-86

IN RE: PETITION FOR ZONING VARIANCE
NW/4 of Bellona Avenue, 530'
W of Ridervale Road
(8110 Bellona Avenue)
8th Election District
Jack Carvel Henry, Sr., et ux
Petitioners
Case No. 87-202-A

The Petitioners herein request a zoning variance to permit a rear yard setback of 20 feet in lieu of the required 40 feet to construct an addition.
At the onset of the hearing the Petitioners requested that the Petition be amended to permit a rear yard setback of 35' in lieu of the required 40'. The request was granted.

Testimony by one of the Petitioners indicated that additional habitable space is needed to provide study and recreational area for two teen-aged young people in the family. There is no basement in the dwelling. The lot is unusually shaped and includes easements along two sides. There is a substantial hill on the north side which would make it difficult to construct an addition on that side. In fact, any addition would be almost impossible without a variance. There were no Protestants.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners, it is determined that the variance requested would not adversely affect the health, safety, and general welfare of the community and should therefore be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 25th day of November 1986, that the herein request for a zoning variance to permit a rear yard setback of 35', in accordance with the plan submitted and identified as Petitioner's Exhibit 1, is hereby GRANTED.

Jean M. H. Jung
Deputy Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

November 25, 1986

Mr. & Mrs. Jack Carvel Henry, Sr.
8110 Bellona Avenue
Towson, Maryland 21204

RE: Petition for Zoning Variance
NW/4 of Bellona Avenue, 530'
W of Ridervale Road
8th Election District
Case No. 87-202-A

Dear Mr. & Mrs. Henry:

Enclosed please find a copy of the decision rendered on the above-referenced Petition. Your request for a zoning variance has been granted, in accordance with the attached Order.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

Jean M. H. Jung
Deputy Zoning Commissioner

JMH:bjs

Attachments

cc: People's Counsel

DESCRIPTION FOR VARIANCE
8110 BELLONA AVENUE
8TH ELECTION DISTRICT

Beginning at a point in the center of Bellona Avenue at a distance of 530 feet west of Ridervale Road and running thence N 60° 13' W, 196.33 feet to the easternmost right of way of the Northern Central Railway, thence binding on said right of way southwesterly by a curved line 449.50 feet, thence leaving said right of way and running South 58° 46' East, 37.33 feet to the center of Bellona Avenue and running thence and binding on said centerline the five following courses and distances: North 31° 34' East, 149 feet, thence North 35° 25' East, 130.00 feet, thence North 57° 24' East, 100 feet, thence North 65° 23' East, 30 feet, thence North 75° 22' East, 24.50 feet to the point of beginning.

Saving and excepting a parcel of land of irregular dimensions containing 0.277 acres of land, more or less, to be used for the widening of Bellona Avenue, as shown and indicated as "Highway Widening" on Baltimore County Bureau of Land Acquisition Drawing No. RW 73-127-1 which is the basis of the variance plat herein.

RE: PETITION FOR VARIANCE
NW/4 of Bellona Ave., 530' W
of Ridervale Rd. (8110 Bellona
Ave.), 8th District
JACK CARVEL HENRY, SR., et ux,
Petitioners
Case No. 87-202-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 8th day of October, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Jack Carvel Henry, Sr., 8110 Bellona Ave., Ridewood, MD 21139, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

November 12, 1986

Mr. Jack Carvel Henry, Sr.
Mrs. Sera P. Henry
8110 Bellona Avenue
Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCE
NW/4 of Bellona Ave., 530' W of Ridervale Rd.
(8110 Bellona Ave.)
8th Election District
Jack Carvel Henry, Sr., et ux - Petitioners
Case No. 87-202-A

Dear Mr. and Mrs. Henry:

This is to advise you that \$78.00 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 025711
DATE Jan 20, 86 ACCOUNT 01-615-000
AMOUNT \$ 78.00
RECEIVED FROM Jack Henry Sr.
FOR: Jean Pickett - Cash 87-202-A
6 8110 Bellona Ave. Towson, Md.
VALIDATION OR SIGNATURE OF CASHIER

REAL ESTATE TITLE COMPANY,
INCORPORATED
Keyser Building
Baltimore, Md.
1.E.ington 9-3212

App. No. 91340



FEE SIMPLE DEED

This Deed, Made this 10th day of January

in the year one thousand nine hundred and seventy-two by and between
✓ ETHEL M. BUCHEIMER, of Frederick County, State of Maryland, party of the
first part; and SARA PICKETT HENRY, of Baltimore County, State of Maryland, party
of the second part.

JAN 21-72 243539d *****52.65
JAN 21-72 243539C *****27.50
JAN 21-72 243538C *****18.15
JAN 21-72 243537C *****7.00

WITNESSETH that in consideration of the sum of Five Dollars (\$5.00) and other
good and valuable considerations, the receipt whereof is hereby acknowledged, the
said party of the first part

does grant and convey unto the said party of the second part, her

heirs and assigns, in fee-simple, all that lot or parcel of ground
situate, lying and being in

Baltimore County, State of Maryland and described as follows, that is to say

at a distance of 530' west of Bellona Ave.
BEGINNING for the same in the center of Bellona Avenue at the end of the sixth line
of the land described in the Deed from Harrison Rider to Dr. William C. Rider, dated
August 27, 1881 and recorded among the Land Records of Baltimore County in Liber WMH
No. 124 folio 265 and running thence binding in the center of said avenue the five
following courses and distances viz: North 31° 34' East 149 feet, North 35° 25' East
130 feet, North 57° 24' East 100 feet North 65° 23' East 80 feet and North 75° 22' East
24.50 feet to intersect a line drawn South 60° 13' East in extension of the North 61½°
West 12.7 perches line of said land, thence to and along said line North 60° 13' West
196.33 feet to the easternmost outline of the right of way of the Northern Central
Railway, thence binding on the easternmost line of said Railway right of way south-
westerly by a curved line 449.50 feet to intersect the sixth line of said land and
thence binding on said sixth line South 58° 46' East 37.33 feet to the place of
beginning. Containing 0.62 of an acre of land more or less.

BEING the same lot or parcel of ground 2ndly described in a Deed dated March 6, 1944
and recorded among the Land Records of Baltimore County in Liber RJS No. 1334 folio 228,
was granted and conveyed by W. Hall Harris, Jr., Trustee, et al unto the within Grantor.

Subject to a 10 foot drainage and utility easement dated October 24, 1961 and recorded
among the Land Records of Baltimore County in Liber WJR No. 3918 folio 120 between
Ethel M. Bucheimer, widow, and Baltimore County, Maryland.

FORM D.P.W.-400

County Highway Deed. Item 1
CODE: 05--RW 73-127-1 District No. 8
J.O. 5-R/A-654 Account No.

THIS DEED, Made this _____ day of _____, in the year 19 73
by SARA PICKETT HENRY, of Baltimore County, State of Maryland, Grantor.

WITNESSETH, that in consideration of the sum of Five Dollars (\$5.00), and other good and
valuable considerations, the receipt whereof is hereby acknowledged, the said Grantor do es
grant and convey unto BALTIMORE COUNTY, MARYLAND, a body corporate and politic, its succes-
sors and assigns, in fee simple, for public highway purposes, all that lot of ground situate,
lying and being in the Eighth Election District of Baltimore County, State of Mary-
land, and described as follows, that is to say.

BEING a parcel of land of irregular dimensions across the property of the
Grantor, said parcel of land containing 0.277 acre, more or less (12,083 sq. ft.,
more or less), and to be used for the widening of BELLONA AVENUE, as shown shaded
and indicated "HIGHWAY WIDENING" on Baltimore County Bureau of Land Acquisition
Drawing No. RW 73-127-1, which is attached hereto and made a part hereof.

TOGETHER with all right, title and interest of the Grantor in and to the bed
of BELLONA AVENUE, as shown on the aforesaid Drawing No. RW 73-127-1, which is
attached hereto and made a part hereof.

BEING a portion of the property which by a Deed dated January 10, 1972 and
recorded among the Land Records of Baltimore County in Liber O.T.G. No. 5244,
folio 926 was granted and conveyed by Ethel M. Bucheimer, to Sara Pickett Henry.

TOGETHER with the appurtenances and advantages to the same belonging or in anywise

appertaining.

TO HAVE AND TO HOLD the above granted property unto Baltimore County, Maryland, a

body corporate and politic, its successors and assigns, in fee simple, for public highway purposes.

AND the said Grantor hereby covenants that she has not done or

suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed,

that the will warrant specially property granted; and that

execute such further assurances of the same as may be requisite.

-1-

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 30, 1986

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., appearing on
October 20, 1986.

THE JEFFERSONIAN,

Luan Shuler Obrecht
Publisher

Cost of Publishing
24.75

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 29, 1986

THIS IS TO CERTIFY, that the annexed advertisement was
published in the TOWSON TIMES, a weekly newspaper printed
and published in Towson, Baltimore County, Md., appearing on
October 29, 1986.

TOWSON TIMES,

Luan Shuler Obrecht
Publisher

38.25

87-202-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
1st day of October, 1986.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner Jack C. Henry, Sr., et al Received by: James E. Dyer
Petitioner's Attorney Chairman, Zoning Plans
Advisory Committee